

CASE

NUMBER:

99-289

INDEX FOR CASE: 1999-289UAC

AS OF : 02/25/00

KENTUCKY RSA #3 CELLULAR GENERAL PARTNERSHIP, D/B/A BLUEGRASS C

Construct

CELL SITE - 6743 LEWISBURG ROAD - RUSSELLVILLE

IN THE MATTER OF THE APPLICATION OF KENTUCKY RSA #3 CELLULAR
GENERAL PARTNERSHIP FOR ISSUANCE OF A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO CONSTRUCT A CELL SITE
(LEWISBURG) IN RURAL SERVICE AREA #3 (LOGAN) OF THE
COMMONWEALTH OF KENTUCKY

SEQ NBR	ENTRY DATE	REMARKS
0001	11/02/1999	Application.
0002	11/03/1999	Acknowledgement letter.
0003	11/12/1999	No deficiencies letter
0004	02/25/2000	Final Order granting a Certificate to construct and operate the Lewisburg site.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
211 SOWER BOULEVARD
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 1999-289 UAC
KENTUCKY RSA #3 CELLULAR GENERAL PARTNERSHIP, D/B/A BLUEGRASS C

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on February 25, 2000.

Parties of Record:

Ron Smith
General Manager
Kentucky RSA #3 Cellular General
Partnership, d/b/a Bluegrass Cellular
2902 Ring Road
P. O. Box 5012
Elizabethtown, KY. 42701

Honorable John E. Selent
Attorney at Law
Dinsmore & Shohl, LLP
200 Meidinger Tower
Louisville, KY. 40202


Secretary of the Commission

SB/hv
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY RSA #3 CELLULAR)	
GENERAL PARTNERSHIP FOR ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	CASE NO.
NECESSITY TO CONSTRUCT A CELL SITE)	99-289-UAC
(LEWISBURG) IN RURAL SERVICE AREA #3)	
(LOGAN) OF THE COMMONWEALTH OF)	
KENTUCKY)	

O R D E R

On November 2, 1999, Kentucky RSA #3 Cellular Partnership ("Kentucky RSA #3") filed an application seeking a Certificate of Public Convenience and Necessity to build and operate a cellular radio telecommunications system for Rural Service Area No. 3 ("RSA No. 3"). The proposed cell site is to be located at 6743 Lewisburg Road, Russellville, Logan County, Kentucky ("the Lewisburg cell site"). The coordinates for the Lewisburg cell site are North Latitude 36° 55' 54" by West Longitude 86° 56' 31".

Kentucky RSA #3 has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Lewisburg cell site. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a Registered Professional Engineer has certified the plans.

Pursuant to KRS 100.987(2), Kentucky RSA #3 has submitted the uniform application for construction to the Logan Joint Cities County Planning Commission and as no response has been filed with the Commission, pursuant to KRS 100.987(4)(c), the application is deemed approved. Kentucky RSA #3 has filed applications with and received approval from the Federal Aviation Administration and the Kentucky Airport Zoning Commission for the construction and operation of the Lewisburg cell site.

Kentucky RSA #3 has filed notices verifying that each person who owns property within 500 feet of the cell site has been notified of the pending construction. The notice solicited any comments and informed the property owners of their right to intervene. To date, no intervention requests have been received.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, Kentucky RSA #3 should notify the Commission if it does not use this antenna tower to provide cellular radio telecommunications services in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by Kentucky RSA #3.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Kentucky RSA #3 should be granted a Certificate of Public

Convenience and Necessity to construct and operate the Lewisburg cell site in RSA No. 3 under its previously approved tariff.

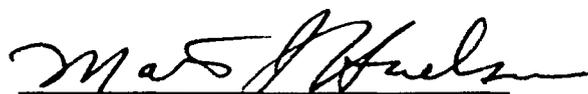
IT IS THEREFORE ORDERED that:

1. Kentucky RSA #3 is granted a Certificate of Public Convenience and Necessity to construct and operate the Lewisburg cell site.
2. Kentucky RSA #3 shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 25th day of February, 2000.

By the Commission

ATTEST:


Executive Director



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

November 12, 1999

Ron Smith
General Manager
Kentucky RSA #3 Cellular General
Partnership, d/b/a Bluegrass Cellular
2902 Ring Road
P. O. Box 5012
Elizabethtown, KY. 42701

Honorable John E. Selent
Attorney at Law
Dinsmore & Shohl, LLP
200 Meidinger Tower
Louisville, KY. 40202

RE: Case No. 99-289 UAC
KENTUCKY RSA #3 CELLULAR GENERAL PARTNERSHIP, D/B/A BLUEGRASS C

The Commission staff has reviewed your application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

Stephanie Bell
Secretary of the Commission

SB/hv
Enclosure

**DINSMORE
& SHOHL LLP**

Attorneys at Law
2000 Meidinger Tower
462 South Fourth Avenue
Louisville, Kentucky 40202
(502) 540-2300
Fax (502) 585-2207

John E. Selent
(502) 540-2315 (direct dial)
selent@dinslaw.com

Cincinnati
(513) 977-8200
Fax (513) 977-8141

Columbus
(614) 628-6880
Fax (614) 628-6890

Covington
(606) 292-2502
Fax (513) 977-8141

Dayton
(937) 449-6400
Fax (937) 449-6405

Lexington
(606) 425-1000
Fax (606) 425-1099

www.dinslaw.com

Helen C. Helton
Executive Director
Public Service Commission
730 Schenkel Lane
P.O. Box 615
Frankfort, KY 40602-0615

November 2, 1999

FILED

NOV 02 1999
PUBLIC SERVICE
COMMISSION

COPY

RECEIVED
NOV - 2 1999
PUBLIC SERVICE
COMMISSION

*RE: Application of Kentucky RSA #3 Cellular General Partnership for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Lewisburg) in Rural Service Area #3 (Logan) of the Commonwealth of Kentucky
Case No. 99-289 UAC*

Dear Ms. Helton:

Enclosed with this letter is a uniform application for a certificate of public convenience and necessity to construct a cell site of Kentucky RSA #3 Cellular General Partnership pursuant to 807 KAR 5:063 in regard to the above-referenced matter. Also enclosed are six (6) copies of this cover letter.

Pursuant to 807 KAR 5:063 §5(2), this initial filing of a uniform application includes an original and five (5) copies of an additional page which is labeled, in bold face, "For the Public Record", and which contains the case caption and states the specific location of the proposed construction.

As always, if you have any questions with respect to this matter, please call me.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

November 3, 1999

Ron Smith
General Manager
Kentucky RSA #3 Cellular General
Partnership, d/b/a Bluegrass Cellular
2902 Ring Road
P. O. Box 5012
Elizabethtown, KY. 42701

Honorable John E. Selent
Attorney at Law
Dinsmore & Shohl, LLP
200 Meidinger Tower
Louisville, KY. 40202

RE: Case No. 99-289 UAC
KENTUCKY RSA #3 CELLULAR GENERAL PARTNERSHIP, D/B/A BLUEGRASS
(Construct) CELL SITE - 6743 LEWISBURG ROAD - RUSSELLVILLE

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received November 2, 1999 and has been assigned Case No. 99-289. In all future correspondence or filings in connection with this case, please reference the above case number.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell
Secretary of the Commission

SB/jc

DINSMORE & SHOHL LLP

Attorneys at Law

2000 Meidinger Tower
462 South Fourth Avenue
Louisville, Kentucky 40202
(502) 540-2300
Fax (502) 585-2207

John E. Selent
(502) 540-2315 (direct dial)
selent@dinslaw.com

Helen C. Helton
Executive Director
Public Service Commission
730 Schenkel Lane
P.O. Box 615
Frankfort, KY 40602-0615

Cincinnati
(513) 977-8200
Fax (513) 977-8141

Columbus
(614) 628-6880
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(606) 292-2502
Fax (513) 977-8141

Dayton
(937) 449-6400
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(606) 425-1000
Fax (606) 425-1099

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November 2, 1999

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NOV 02 1999

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COMMISSION

COPY RECEIVED
NOV - 2 1999
PUBLIC SERVICE
COMMISSION

RE: Application of Kentucky RSA #3 Cellular General Partnership for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Lewisburg) in Rural Service Area #3 (Logan) of the Commonwealth of Kentucky
Case No. 99-289 UAC

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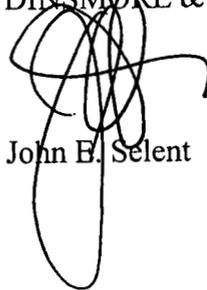
As always, if you have any questions with respect to this matter, please call me.

Helen C. Helton
November 2, 1999
Page 2

Thank you very much.

Very truly yours,

DINSMORE & SHOHL LLP

A handwritten signature in black ink, appearing to read "John E. Selent". The signature is highly stylized and cursive, with several loops and a long, sweeping tail that extends downwards.

John E. Selent

JES/kwi

Enclosures

0033475.01

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE COMMONWEALTH OF KENTUCKY

RECEIVED
JUN 2 1999
PUBLIC SERVICE COMMISSION

FOR THE PUBLIC RECORD

**Application of RSA #3 Cellular General Partnership
for Issuance of a Certificate of Public
Convenience and Necessity
to Construct a Cell Site
(Lewisburg) in Rural Service Area #3 (Logan)
of the Commonwealth of Kentucky**

6743 Lewisburg Road, Russellville, Kentucky 42276

Case No. 99-289 UAC